



New South Wales

Wingecarribee Local Environmental Plan 2010 (Amendment No 21)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

**MARK PEPPING, GROUP MANAGER STRATEGIC AND ASSETS,
WINGECARRIBEE SHIRE COUNCIL**
As delegate for the Minister for Planning

Wingecarribee Local Environmental Plan 2010 (Amendment No 21)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Wingecarribee Local Environmental Plan 2010 (Amendment No 21)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU4 Primary Production Small Lots, Zone E3 Environmental Management and Zone E4 Environmental Living under *Wingecarribee Local Environmental Plan 2010*.

Schedule 1 Amendment of Wingecarribee Local Environmental Plan 2010

[1] **Clause 4.2A Erection of dwelling houses and dual occupancies on land in certain rural and environment protection zones**

Insert “and dual occupancies” after “dwelling houses” in clause 4.2A (1) (b).

[2] **Clause 4.2A (3) and (4)**

Insert “or dual occupancy” after “dwelling house” wherever occurring.

[3] **Clause 4.2A (5)**

Omit the subclause. Insert instead:

(5) In this clause:

existing holding means land that:

(a) was a holding:

- (i) in relation to land to which the former *Bowral Planning Scheme Ordinance* applied—on 8 October 1954, or
- (ii) in relation to land to which the former *Interim Development Order No 1—Shire of Wingecarribee* applied—on 18 January 1963, or
- (iii) in relation to land to which the former *Burradoo and Environs Planning Scheme Ordinance* applied—on 23 July 1965, or
- (iv) in relation to land to which the former *Shire of Mittagong Planning Scheme Ordinance* applied—on 16 February 1968, and

(b) is a holding at the time the application for development consent referred to in subclause (3) is lodged,

whether or not there has been a change in the ownership of the holding since the date mentioned in paragraph (a) (i), (ii), (iii) or (iv), and includes any other land adjoining that land acquired by the owner since that date.

holding means all adjoining land, even if separated by a road or railway, held by the same person or persons.

Note. The owner in whose ownership all the land is at the time the application is lodged need not be the same person as the owner in whose ownership all the land was on the stated date.